

MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL  
HELD AT CITY HALL  
NOVEMBER 15, 2005  
7:00 P.M.

**ROLLCALL** Answering rollcall were Members Housh, Hulbert, Masica, Swenson and Mayor Hovland.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Housh and seconded by Member Hulbert approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

**\*MINUTES OF THE REGULAR MEETING OF NOVEMBER 1, 2005, APPROVED** Motion made by Member Housh and seconded by Member Hulbert approving the Minutes of the Regular Meeting of the Edina City Council for November 1, 2005.

Motion carried on rollcall vote – five ayes.

**FIRST READING GRANTED TO ORDINANCE NO. 2005-13, AMENDING CODE SECTIONS 705 AND 715, STORAGE, COLLECTION AND DISPOSAL OF REFUSE AND COMPOSTABLE MATERIAL** Manager Hughes explained at the November 1, 2005, Council Meeting, the Council received a recommendation from the Recycling and Solid Waste Commission to allow curbside placement of yard waste and refuse containers on collection day. Following a Council discussion, a motion was made directing staff to prepare an ordinance amendment allowing residents to place their refuse containers at the curb on collection day, similarly to the way recyclables are handles. Mr. Hughes explained the draft ordinance would also allow containers to be placed at the curb no more than 12 hours prior to scheduled collection and must be removed from the curb within 12 hours after collection.

Member Masica requested language be included in the amendment stating garage side collection would be an option if a resident required that type of service. Mr. Hughes said if the Council desired, an amendment to the licensing requirement for haulers could be made a condition of a license being issued. He added that first reading could be granted at this meeting with an amendment brought before the Council at the next meeting seeking second reading.

**Member Swenson made a motion granting first reading to Ordinance No. 2005-13, Amending Code Sections 705 and 715, Storage, Collection and Disposal of Refuse and Compostable Materials conditioned upon an amendment to the licensing requirement covering haulers. Member Hulbert seconded the motion.**

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

**ORDINANCE NO. 2005-14, AMENDING SECTION 120 - COUNCIL SALARIES TURNED DOWN** Mr. Hughes noted during the 2005 budget process, the Council asked that consideration be given to adjusting the salaries for the Mayor and Council. He stated the Mayor's annual salary presently was \$7,050.00 and the Council salaries were \$5,100.00. Mr. Hughes said the salaries have not been adjusted for sixteen years. He explained the most recent survey from the Metropolitan

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Legislative Commission was attached to the Council packet, comparing mayor and council salaries of cities similar in size to Edina. Mr. Hughes also included a 2005 Salary Survey of Elected Officials from the Association of Metropolitan Municipalities (AMM). Mr. Hughes stated he had prepared proposed Ordinance No. 2005-14 increasing the Mayor's salary to \$10,000.00 and increasing the Council's salaries to \$7,500.00. He noted under Minnesota Statute these salaries could not be effective until the next general election so the effective date was suggested as January 1, 2007.

Member Housh said personally he did not want to adjust the salaries. He felt the Council served because of a desire to give back to their community. Member Housh said he felt the stipend that currently was paid to the Mayor and Council makes people take the job seriously. He did, however, state he would support increasing the Mayor's salary since more time was required for that position.

Mayor Hovland pointed out that he had been surprised to find out he would be paid when he came onto the Council. He acknowledged it was nice to be paid, but added he leaned towards agreement with Member Housh and had no desire to increase the salaries.

Member Swenson stated she did not want to preclude anyone from running or serving on the Council and knowing what it costs to run a campaign she would support increasing the salaries as proposed. Member Swenson said that there were obligations in the community of Council members and the increase in salary would aid in meeting those needs.

Member Masica stated she agreed with Member Swenson and felt the proposed ordinance should be adopted because of the costs of running a campaign and fulfilling the obligations of a Council member. She said there was value in the work of the Council and she felt it should be recognized. Member Masica added that she would not want limiting the salary of the Council to make being elected to serve an elitist position.

Member Hulbert said she did not think the salary should be increased to aid in funding a campaign; however she would support the idea of a Council stipend being used to cover expenses incurred as a Council member such as attending seminars or traveling to represent the City.

Member Housh suggested he could support the idea of a stipend otherwise he would hold to his original position.

Mayor Hovland asked staff to comment on the possibility of a stipend.

Mr. Hughes said that while some city councils were paid a per diem, or for each meeting attended, he did not know the statutes relative to a stipend. He gave a brief historical perspective on the Council salaries.

Following a Council discussion, **Member Swenson made a motion approving first reading of Ordinance No. 2005-14, Amending Section 120 of the City Code - Adjusting the Mayor and Council Salaries.** Member Masica seconded the motion.

Rollcall:

Ayes: Masica, Swenson

Nays: Housh, Hulbert, Hovland

Motion failed.

**\*BID AWARDED - 20-FOOT SPECIAL OPERATIONS TRAILER - FIRE DEPARTMENT** Motion made by Member Housh and seconded by Member Hulbert for award of bid for a special

operations trailer for the Fire Department, to recommended low bidder, Ace Trailer Sales, at \$25,510.00.

Motion carried on rollcall vote – five ayes.

**PUBLIC HEARING HELD, NEW ON-SALE INTOXICATING AND SUNDAY LICENSES GRANTED – SALUT BAR AMERICAINE, 5034 FRANCE AVENUE SOUTH** Affidavits of Notice were presented, approved and ordered placed on file.

Mr. Hughes stated Odeon France, Inc. has applied for on-sale intoxicating and Sunday on-sale liquor licenses for 5034 France Avenue South. This was formerly the location of the Ampersand retail store. Mr. Hughes explained that Edina Code Section 900 requires a public hearing before issuance of new on-sale intoxicating liquor licenses. He said all necessary documentation and fees have been received and the Administration, Health, Planning and Police Departments have finished their review of the applicant. He stated the background investigation had no negative findings and staff recommended issuance of the requested licenses for the period beginning November 15, 2005, and ending March 31, 2006.

Dick Curtin, 6310 McIntyre Court, stated he was the owner of the property where the new restaurant will be located. He said he had understood that a representative of Salut intended to come to the meeting and was sure there had been a misunderstanding. Mr. Curtin said when he previously addressed the Council asking for the ordinance change allowing larger restaurants in the area, he promised to bring in a superior operation and he was pleased to have the Salut Bar Americain in his building.

Member Masica expressed concern over the proposed name of Salut Bar Americain. She stated when approached during the summer with the restaurant concept, the proposed name had been Odeon. Clerk Mangen explained the name Odeon was already in use so while the corporation could use that name the trade name was not available. Ms. Mangen reiterated that the restaurant management had indicated their intention to attend the meeting and stated there must have been some miscommunication.

**Member Masica made a motion, seconded by Member Hulbert to close the public hearing.**

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Following a brief discussion, **Member Hulbert made a motion to grant an on-sale intoxicating liquor license and a Sunday on-sale liquor license for the period beginning November 15, 2005 and ending March 31, 2006, to Odeon Inc, dba Salut Bar Americain, 5034 France Avenue South, Edina.** Member Housh seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

**\*2006 COUNCIL MEETING DATES AND HOLIDAYS** Motion made by Member Housh and seconded by Member Hulbert approving the 2006 Council Meeting Dates and Holidays as presented.

Motion carried on rollcall vote – five ayes.

**\*TRAFFIC SAFETY STAFF REVIEW OF NOVEMBER 1, 2005** Motion made by Member Housh and seconded by Member Hulbert approving the Traffic Safety Staff Review for November 1, 2005, Section A, B and C.

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Motion carried on rollcall vote – five ayes.

**\*RESOLUTION NO. 2005-102 ADOPTED AUTHORIZING A COOPERATIVE AGREEMENT WITH THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY** Member Housh introduced the following resolution seconded by Member Hulbert and moved approval:

**RESOLUTION NO. 2005-102  
AUTHORIZING EXECUTION OF AGREEMENT -  
DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the Minnesota Department of Public Safety, Office of Justice Programs has awarded the Edina Police Department a grant for \$163,923 for participation in the Minnesota Financial Crimes Task Force.

NOW, THEREFORE, BE IT RESOLVED, that the Edina Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Justice Programs will enter into a cooperative agreement with the Office of Justice Programs in the Minnesota Department of Public Safety.

BE IT FURTHER RESOLVED, that Gordon Hughes, Edina City Manager, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Edina Police Department.

Dated: November 15, 2005.

Motion carried on rollcall vote – five ayes.

**\*CONFIRMATION OF CLAIMS PAID** Member Housh made a motion and Member Hulbert seconded the motion approving payment of the following claims as shown in detail on the Check Register dated November 2, 2005, and consisting of 22 pages: General Fund \$216,559.88; Communications Fund \$4,245.39; Working Capital Fund \$14,591.93; Construction Fund \$203.50; Art Center Fund \$4,065.45; Golf Dome Fund \$8,294.57; Golf Course Fund \$14,644.76; Ice Arena Fund \$2,774.10; Edinborough/Centennial Lakes Fund \$1,002.60; Liquor Fund \$96,189.18; Utility Fund \$57,472.50; Storm Sewer Fund \$150.22; TOTAL \$420,194.08; and for approval of claims for November 8, 2005, consisting of 29 pages: General Fund \$116,172.08; Communications Fund \$13,553.18; Working Capital Fund \$32,381.42; Art Center Fund \$644.22; Golf Dome Fund \$255.60; Aquatic Center Fund \$919.75; Golf Course Fund \$5,211.50; Ice Arena Fund \$10,837.68; Edinborough/Centennial Lakes Fund \$13,968.78; Liquor Fund \$211,482.37; Utility Fund \$57,262.62; Storm Sewer Fund \$3,665.37; Public Safety Training Fund \$5,075.79; TOTAL \$471,430.36.

Motion carried on rollcall vote – five ayes.

**\*PETITION RECEIVED REQUESTING POND DREDGING AND POND RECOVERY** Motion made by Member Housh and seconded by Member Hulbert acknowledging receipt of a petition from Cari Ohman, 6419 Vernon Avenue South, requesting dredging and recovery of the pond between Vernon Avenue and Gleason and to refer the petition to the Engineering Department for processing as to feasibility.

Motion carried on rollcall vote – five ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:07 P.M.

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City Clerk